

**REMARKS**

Applicants appreciate the thorough examination of the application that is reflected in the Office Action dated February 12, 2003. Applicants also appreciate the Examiner's indication that claims 11 and 12 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Claim 14 has been amended to correct a typographical error. Claims 1-18 are pending in the application.

**Objections to Title and Specification**

OK The Title has been amended as reflected above, and the specification has been amended as requested by the Examiner. Applicants submit that these amendments render the objections thereto moot, and request that these objections are withdrawn.

**Claim Rejections Under 35 U.S.C. 112, second paragraph**

Claims 13 and 14 were rejected under 35 U.S.C. 112, 2nd paragraph. In rejecting claim 13, the Official Action takes the position that:

"it is unclear how the first gate-gate electrode layer, the second gate-gate electrode layer and the first drain-gate wiring layer are located in a single first conductive layer. It is believed that the first gate-gate electrode layer, the second gate-gate electrode layer and the first drain-gate wiring layer are located in a first conductive layer level of the SRAM.

In claim 13, it is also unclear how the first drain-drain wiring layer, the second drain-drain wiring layer and the lower layer are located in a single second conductive layer. It is believed that the first drain-drain wiring layer, the second drain-drain wiring layer and the lower layer are located in a second conductive layer level." (Emphasis added.)

Applicants note that claim 13 does not recite "a single first conductive layer," or "a single second conductive layer," as suggested by the Official Action.

To assist the Examiner in understanding how claim 13 reads on an embodiment, Applicants have annotated the limitations of claim 13. Applicants note, however, that claim 13 has been annotated solely for the purpose of helping the Examiner understand how claim 13 reads on an embodiment of the invention,

and note that claim 13 is not limited to that embodiment. As shown, for example, in FIGS. 3-7, and as discussed at page 15, line 25 through page 18, line 27, the first gate-gate electrode layer 20, the second gate-gate electrode layer 22 and the first drain-gate wiring layer 30 are located in a first conductive layer. In this embodiment, the first conductive layer is "a conductive layer that is formed on the field 10." As shown, for example, in FIGS. 4, 8 and 9, and as discussed at page 19, line 1 through page 21, line 21, the first drain-drain wiring layer 40, the second drain-drain wiring layer 42 and the lower layer 32a are located in a second conductive layer. In this embodiment, the second conductive layer is "a conductive layer that is formed on the field 90."

Therefore, Applicants submit that the limitations "the first gate-gate electrode layer, the second gate-gate electrode layer and the first drain-gate wiring layer are located in a first conductive layer," and "the first drain-drain wiring layer, the second drain-drain wiring layer and the lower layer are located in a second conductive layer," required by claim 13 are clear.

OK Accordingly, Applicants request that the Examiner reconsider this ground of rejection, and submit that a rejection under 35 U.S.C. 112, 2<sup>nd</sup> paragraph is improper and should be withdrawn. In the event questions remain regarding the definiteness of these limitations, Applicants request that the Examiner contact the undersigned to discuss the definiteness of these limitations.

OK Claim 14 has been amended to correct a typographical error. Applicants submit that the amendment to claim 14 overcomes that ground of rejection, and respectfully requests that the rejection of claim 14 under 35 U.S.C. 112, 2<sup>nd</sup> paragraph be withdrawn.

**Art-Based Rejections**

**Claims 1-10 and 15-18**

Claims 1-10 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. US 2002/0096734A1 to Natsume. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Natsume. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Natsume further in view of United States Patent No. 6,479,905 B1 to Song.

Applicants respectfully traverse these rejections for at least the following reasons. In accordance with 37 C.F.R. 1.55 and MPEP §201.15, submitted herewith are certified English translations of Japanese foreign priority documents 2001-88309 and 2001-330785, along with a declaration of Michie Fuse-Ofuchi stating that the translation of the certified copy is accurate. Japanese foreign priority document 2001-88309 was filed March 26, 2001, and Japanese foreign priority document 2001-330785 was filed October 29, 2001. Thus, at least the constructive date of invention, evidenced by the filing dates of the priority documents, is prior to the January 15, 2002 effective date of the Natsume reference. Accordingly, Applicant submits that the rejections of claims 1-10 and 15-18 based on Natsume are rendered moot for at least this reason, and respectfully requests that the rejections of claims 1-10 and 15-18 based on Natsume either alone or in combination with Song be withdrawn.

**Claims 16-18**

Claims 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,285,088 B1 to Madan.

Applicants respectfully submit that the Madan reference fails to teach or suggest that "each of the drain regions of the first and second load transistors includes a protruded active region protruding in the gate width direction beyond an end of a channel region," as required by claim 16. As shown in FIG. 6 of Madan, the P-type drain contact region 608 does not include a protruded active region protruding in the gate width direction beyond an end of a channel region.

Consequently, Applicants submit that the cited reference fails to teach or suggest at least these recitations of claim 16. Accordingly, the rejection of claim 16 should be withdrawn. Applicants submit that claims 17 and 18 are also patentable over the Madan reference for at least the same reasons.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6793 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

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